

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IMMANUEL UNITED CHURCH  
OF CHRIST**

**VS.**

**PHILADELPHIA INDEMNITY  
INSURANCE COMPANY,  
ENGLE MARTIN & ASSOCIATES,  
INC., JOHN MILLER and  
SUSAN SABOUNI**

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**CASE NO. 4:17-cv-1329**

**ON REMOVAL FROM:**

**CAUSE NO. 2017-25426**

**IMMANUEL UNITED CHURCH  
OF CHRIST**

**vs.**

**PHILADELPHIA INDEMNITY  
INSURANCE COMPANY,  
ENGLE MARTIN & ASSOCIATES,  
INC., JOHN MILLER and  
SUSAN SABOUNI**

www.elsevier.com/locate/jbiotec

IN THE DISTRICT COURT

HARRIS COUNTY, TEXAS

164<sup>TH</sup> JUDICIAL DISTRICT

**EXHIBIT "1"**

**AFFIDAVIT IN SUPPORT OF REMOVAL FROM  
PHILADELPHIA INDEMNITY INSURANCE COMPANY**

**AFFIDAVIT OF EUGENE ANGIOLILLO**

STATE OF PENNSYLVANIA       §  
                                                  §  
COUNTY OF MONTGOMERY     §

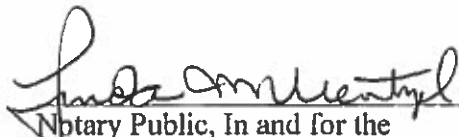
BEFORE ME, the undersigned authority, personally appeared EUGENE ANGIOLILLO, known to me to be the person whose name is subscribed below, and who upon his oath stated as follows:

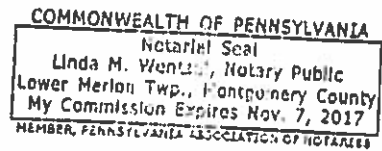
1.    “My name is Eugene Angiolillo. I am over the age of twenty-one years and competent to make this affidavit.
2.    I am a Property Claims Supervisor for Philadelphia Indemnity Insurance Company. In that capacity, I am authorized to make this affidavit.
3.    Philadelphia Indemnity Insurance Company is an affiliated company of Philadelphia Consolidated Holding Company. In handling property insurance claims, I frequently represent the interests of Philadelphia Indemnity Insurance Company and its insureds. Based upon that activity and experience, the matters stated in this affidavit are based on personal knowledge and are true and correct.
4.    Philadelphia Indemnity Insurance Company is a corporation, which is incorporated under the laws of the state of Pennsylvania.
5.    Philadelphia Indemnity Insurance Company maintains its principal place of business at One Bala Plaza, Suite 100, Bala Cynwyd, Pennsylvania. That is also the address of the office building where I work for Philadelphia Indemnity Insurance Company.
6.    At no time since 2008, when I began handling claims for Philadelphia Indemnity Insurance Company, has that company maintained its principal place of business in Texas.
7.    Attached to this affidavit is a true and correct copy of the current listing from the Texas Department of Insurance website for Philadelphia Indemnity Insurance Company. It correctly identifies that company as a foreign company authorized to engage in the business of insurance in Texas. It also correctly states that the company’s “home state” is Pennsylvania.

Further, Affiant sayeth not."

  
\_\_\_\_\_  
EUGENE ANGIOLILLO

SUBSCRIBED AND SWORN to before me on this the 24 day of April,  
2017, to certify which witness my hand and seal of office.

  
\_\_\_\_\_  
Notary Public, In and for the  
State of Pennsylvania



**Texas Department of Insurance**

333 Guadalupe St. P.O. Box 149104 Austin, TX 78714-9104

**PHILADELPHIA INDEMNITY INSURANCE COMPANY**[Skip over these navigation links.](#)[Show Explanation of Terms](#)**Table of Contents**[General Info](#) | [Contact Info](#) | [Types of Insurance](#) | [Use of Credit](#) | [Attorney for Service](#) | [Ratings](#) | [Financial Info](#) | [Premiums](#) | [Complaint Ratios](#) | [Company History](#) | [Company Officers](#)**General Information:**[Return to top.](#)

|                                             |                        |
|---------------------------------------------|------------------------|
| Type of Entity:                             | Fire and Casualty (FC) |
| Status of TX License:                       | Active                 |
| Company Status:                             | Normal Operations      |
| License Number:                             | 5570                   |
| NAIC Number:                                | 18058                  |
| TDI Company Number:                         | 5570                   |
| FEIN:                                       | 231738402              |
| Home City/State:                            | PA                     |
| Origin:                                     | Foreign                |
| Date Incorporated/Organized:                | 02/10/1927             |
| Date Licensed/Eligible/Registered in Texas: | 05/01/1991             |
| Date Cancelled/Ineligible/Inactive:         |                        |

**Contact Information:**[Return to top.](#)

**Mailing Address:** C/O Tmna Services Llc  
3 Bala Plaza East Suite 400  
Bala Cynwyd PA 19004-3400

**Office Number:** (610)617-7900

**Toll Free Number:** (800)873-4552

**Fax Number:** (610)617-7940

**Types of Insurance Licensed to Write:**[Return to top.](#)

- Accident
- Aircraft Liability
- Aircraft Physical Damage
- Allied Coverages
- Auto Physical Damage
- Automobile Liability
- Boiler & Machinery

- Burglary & Theft
- Credit
- Employers' Liability
- Fidelity & Surety
- Fire
- Forgery
- Glass
- Health
- Inland Marine
- Liability Other than Auto
- Ocean Marine

## Use of Credit:

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To determine if a company uses credit information for private passenger automobile or homeowners insurance.

## Attorney for Service:

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C T Corporation System  
1999 Bryan Street Suite 900  
Dallas TX 75201 -3136

## Rating By Financial Organization:

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The following organizations rate insurance companies on their financial strength and stability. Some of these companies charge for their services.

[A.M. Best](#)  
[Weiss Ratings Inc.](#)  
[Standard & Poor's](#)  
[Moody's Investors Service](#)  
[Fitch IBCA, Duff and Phelps Ratings](#)

## Financial Information:

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| As of:                   | Dec. 31, 2014   | Dec. 31, 2015   | Dec. 31, 2016   |
|--------------------------|-----------------|-----------------|-----------------|
| Total Assets             | \$7,182,216,895 | \$7,361,508,442 | \$8,081,000,333 |
| Total Liabilities        | \$4,844,841,354 | \$5,313,987,763 | \$5,809,503,620 |
| Asset to Liability Ratio | 1.48            | 1.39            | 1.39            |
| Capital                  | \$3,599,950     | \$4,500,000     | \$4,500,000     |
| Net Surplus              | \$2,333,775,591 | \$2,043,020,679 | \$2,266,996,712 |
| Total Life Ins           | N/A             | N/A             | N/A             |

## Premiums:

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| As of:                | Dec. 31, 2014   | Dec. 31, 2015   | Dec. 31, 2016   |
|-----------------------|-----------------|-----------------|-----------------|
| Life and Annuities    | N/A             | N/A             | N/A             |
| Accident and Health   | \$0             | \$0             | \$0             |
| Property and Casualty | \$169,933,530   | \$183,292,738   | \$192,528,607   |
| Total Texas Premium   | \$169,933,530   | \$183,292,738   | \$192,528,607   |
| National Premium      | \$2,739,950,158 | \$2,850,734,340 | \$3,009,071,763 |

## Complaint Information:

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When considering the company's complaint index and ratio, be sure to review the company history information displayed below for recent acquisitions, mergers, or other events that may affect the figures displayed for this company.

|                              | Dec 31, 2015 |       | Dec 31, 2016 |       | Apr 14, 2017 |
|------------------------------|--------------|-------|--------------|-------|--------------|
| <b>Confirmed Complaints:</b> |              |       |              |       |              |
| Life and Annuity             | 0            |       | 0            |       | 0            |
| Accident and Health          | 0            |       | 0            |       | 0            |
| Homeowner                    | 0            |       | 0            |       | 0            |
| Automobile                   | 0            |       | 0            |       | 0            |
| Workers' Compensation        | 0            |       | 0            |       | 0            |
| <b>Complaint Ratio/Index</b> | Ratio        | Index | Ratio        | Index |              |
| Life and Annuities           | N/A          | N/A   | N/A          | N/A   | N/A          |
| Accident and Health          | N/A          | N/A   | N/A          | N/A   | N/A          |
| Homeowner                    | N/A          | N/A   | N/A          | N/A   | N/A          |
| Automobile                   | .0000        | .0000 | N/A          | N/A   | N/A          |
| Workers' Compensation        | N/A          | N/A   | N/A          | N/A   | N/A          |

**Confirmed Complaints:** the number of confirmed complaints closed against the company for the line of insurance and year indicated. A complaint is confirmed if the department receives information indicating that a company committed any violation of an applicable state insurance law or regulation, a federal requirement the department has authority to enforce or the term or condition of an insurance policy or certificate. A complaint is also confirmed if the complaint and company's response, considered together, suggest that the company was in error or that the complainant had a valid reason for the complaint.

**Complaint Ratios:** the ratio, expressed as a percentage, is the number of closed confirmed complaints divided by the number of policies the company had in force for the line of insurance and year indicated.

**Complaint Index:** indicates how a company's ratio of the number of complaints to the number of policyholders compares to the average for all insurers. The index is calculated by dividing the company's percentage of complaints for a specific line of insurance by the company's percentage of the policies in force for the same line of insurance. The average index is 1.00. A number less than 1 indicates fewer complaints than average; a number greater than 1 indicates more complaints than average. For the most recent completed year, a given insurer's index may change over time, as policy count data is received by TDI. This will affect each insurer's percentage of the total.

Complaints against an insurance company are not part of the complaint tally above if the insurance company served only as a Third Party Administrator (TPA), a company hired simply to administer the paperwork of a health plan. Instead, they are included in the complaint record of the insurance company or HMO that hired the TPA. If a bonafide self-insured benefit plan hired the TPA, no complaint numbers are recorded as a part of the company/TPA's profile. Neither are profiles available for self-insured plans, as such plans are regulated under federal law.